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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

COSCO EUROPE BULK SHIPPING GMBH,

Plaintiff,

08 CV 4227 (PKC)

v.

CARGILL INTERNATIONAL S.A.

**NOTICE OF VOLUNTARY
DISMISSAL AND ORDER**

Defendant.

X

PLEASE TAKE NOTICE that the above-entitled action is hereby voluntarily dismissed without prejudice by Plaintiff as to the named Defendant pursuant to Rule 41(a)(1) of the Rules of Civil Procedure for the United States District Courts. No costs are to be assessed to any party.

FURTHERMORE, all property, including assets, accounts, electronic fund transfers, funds, etc., of Defendant CARGILL INTERNATIONAL S.A., currently attached and held by any and all garnishee banks pursuant to the Court's Order for Issuance of Process of Maritime Attachment, dated May 6, 2008, and corresponding Process of Maritime Attachment and Garnishment, including any Supplemental Process, are to be:

- A. Released to the Defendant (i.e. allow wire transfers to proceed as per their original routing instructions, unless otherwise directed);
- B. In particular, garnishee bank Citibank, NA, is to release the attached funds in the following manner: (1) the attachment of \$ 1,410,420.90 (Cargill/beneficiary) is to be released as per the original wiring instructions; (2) the attachment of \$

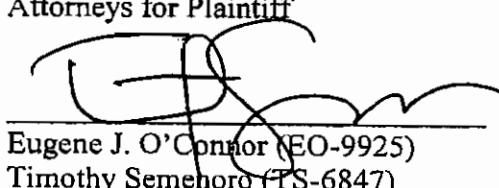
774,777.95 (Cargill/originator) is to be released as per the original wiring instructions; (3) the attachment of \$ 61,724.05 (Cargill/originator) is to be returned to Cargill International SA; (4) the attachment of \$ 30,994.65 (Cargill/originator) is to be returned to Cargill International SA; (5) the attachment of \$ 28,687.50 (Cargill/originator) is to be released as per the original wiring instructions; and (6) the attachment of \$ 194,912.87 (Cargill/originator) (\$396,127.16 minus excess) is to be released as per the original wiring instructions; and

C. Otherwise, said attachments are vacated.

Dated: Port Washington, New York
May 20, 2008

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By:


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SO ORDERED:


Hon. Kevin P. Castel, U.S.D.J.

5-19-08